United Nations S/PV.5847

Security Council

Sixty-third year

Provisional

5847th meeting

Saturday, 1 March 2008, 8.30 p.m.

New York

President:	Mr. Churkin	(Russian Federation)
Members:	Belgium	Mr. Belle
	Burkina Faso	Mr. Koudougou
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Ballestero
	Croatia	Mr. Jurica
	France	Mr. Lacroix
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2008/142)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-25715 (E)

The meeting was called to order at 8.30 p.m.

Expression of thanks to the retiring President

The President (*spoke in Russian*): As this is the first meeting of the Security Council for the month of March 2008, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Ricardo Alberto Arias, Permanent Representative of Panama to the United Nations, for his service as President of the Security Council for the month of February 2008. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Arias for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2008/142)

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Israel in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Carmon (Israel) took a seat at the Council table.

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter dated 1 March 2008 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2008/143 and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council which will be held on Saturday, 1 March 2008, regarding the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the meeting, in accordance with the provisional rules of procedure and previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mansour (Palestine) took a seat at the Council table.

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya contained in document S/2008/142.

I should like to draw the attention of the members of the Council to photocopies of a document to be issued under the symbol S/2008/144, which contains identical letters dated 1 March 2008 from the Permanent Observer of Palestine addressed to the Secretary-General and to the President of the Security Council.

I welcome the presence of the Secretary-General, His Excellency, Mr. Ban Ki-moon, at this meeting. I now give him the floor.

The Secretary-General: Before I begin, I would like to express my felicitations to you, Sir, on your assumption of the presidency of the Security Council for the month of March. I would also like to express my appreciation to Ambassador Arias of Panama for his able conduct of the work of the Council during the month of February.

Since last Wednesday, there has been a deeply alarming escalation of violence in Gaza and southern Israel, and a terrible civilian death toll. The scenes from Gaza today have been particularly disturbing. Some 117 rockets have been fired from Gaza at southern Israel, including 26 rockets today. Those rockets have been fired at several civilian centres and have extended as far north as the Israeli city of Ashkelon. According to press reports and Israeli Government sources, the rockets fired at Ashkelon are

not home-made Qassams, but rather rockets of advanced Katyusha-like design, allegedly smuggled into Gaza when the border with Egypt was breached. One Israeli civilian has been killed in Sderot and five civilians were reported injured in Ashkelon today, including women and children.

During this same period, the Israel Defense Forces (IDF) have undertaken attacks from the air and by land on targets in the Gaza Strip. An estimated 90 Palestinians have been killed, among them many civilians, and injuries are in the hundreds. According to United Nations estimates, 59 Palestinians were killed today, including 39 civilians, among them three women and five minors, including an infant. Let me stress that there are many conflicting reports on the numbers of casualties, and those figures are not confirmed. Additionally, there has been heavy property damage.

Israeli land incursions are taking place near Jabaliya and the northern Gaza Strip. Two Israeli soldiers are reported to have been killed in the fighting. The IDF reports that it destroyed a truck carrying 160 rockets. United Nations sources report at least four incidents of Israeli fire against ambulances and medical personnel. The Palestinian Ministry of Health has issued a call for diesel in order to operate its ambulances. All schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have been closed, and many families are trapped inside their houses by the violence, unable to obtain medical aid or reach safety. I call on Israel to facilitate full access to hospitals and medical centres for the injured.

At the outset of this escalation, I publicly made clear my deep concern, and I have been diplomatically engaged to press for a calming of the violence. I have spoken today to Palestinian President Abbas, Israeli Foreign Minister Livni and League of Arab States Secretary-General Amr Moussa. United Nations agencies on the ground, especially UNRWA, are continuing their efforts to assist people in grave distress.

In the light of those deeply disturbing developments, I would like to make the following clear.

I condemn Palestinian rocket attacks and call for the immediate cessation of such acts of terrorism, which serve no purpose, endanger Israeli civilians and bring misery to the Palestinian people. I call for an end to these attacks.

While recognizing Israel's right to defend itself, I condemn the disproportionate and excessive use of force that has killed and injured so many civilians, including children. I call on Israel to cease such attacks. Israel must fully comply with international humanitarian law and exercise the utmost restraint. Incidents in which civilians have been killed or injured must be investigated and accountability must be ensured.

I am deeply concerned at the possibility of the violence escalating, and have offered our strong support for all efforts to bring about an end to the violence and a period of calm. I call on all parties to step back from the brink of even deeper and more deadly clashes.

I am also extremely concerned at the impact of these developments on the negotiation process. I call on all members of the international community, important stakeholders and Security Council members to exercise their influence on the parties to stop the violence and to allow humanitarian relief. All parties should rededicate their commitment to the peace process.

The President (*spoke in Russian*): I thank the Secretary-General for his briefing.

I now give the floor to the Permanent Observer of Palestine.

Mr. Mansour (Palestine): Mr. President, thank you for your efforts to convene this urgent meeting of the Security Council to address the current crisis. In congratulating you on your assumption of the presidency of the Security Council for the month of March, we assure you of our full confidence in your ability to guide the important work of the Council. We also wish to thank the Permanent Representative of Panama for his outstanding leadership of the Council last month. I would also like to thank the Libyan Arab Jamahiriya for its request to convene this evening's meeting, in the light of the escalation of violence and the dramatic deterioration of the situation in the occupied Palestinian territory in recent days.

Before proceeding, I also wish to thank the Secretary-General for his briefing and for the attention given by him and by all Council members and other

concerned Member States to the critical situation that we are facing.

We come to the Security Council once again to appeal to the Council — to plead with the Council — to uphold international law, to uphold its own resolutions and to uphold its Charter responsibilities for the maintenance of international peace and security. The silence of the international community, due to the ongoing paralysis of the Security Council, is wholly unjustifiable and unacceptable. The lack of action and lack of accountability have only led, time after time, to the perpetration of even more war crimes with impunity against innocent civilians, as evidenced by the tragic and violent events of today and the past week.

The Palestinian death toll in the occupied Palestinian territory, particularly in the besieged Gaza Strip, is rising rapidly as a result of the brutal military assaults being carried out by Israel, the occupying Power, against the civilian population under its occupation. The situation on the ground is deteriorating dramatically as the violence escalates, the number of dead and injured mounts and fear and panic spread throughout the Palestinian civilian population in the Gaza Strip, which has already endured so much suffering and is barely surviving under conditions of severe duress resulting from Israel's ongoing and unlawful closure of all of the territory's border crossings, its obstruction of vital humanitarian supplies, including food, medicines and other necessary and basic goods and materials, its reduction of fuel and electricity supplies and its incessant lethal military campaign.

In deliberate and flagrant breach of article 33 of the Fourth Geneva Convention relative to the Protection of Civilians in Time of War, Israel continues to collectively punish the Palestinian civilian population in the Gaza Strip by means of the sealing and closure of the territory and the obstruction of the movement of persons and goods, including humanitarian access, as well as by means of military reprisals against persons and property and by acts of terror and intimidation. Such actions are clearly prohibited by international law and are being committed by the occupying Power on a scale and scope amounting to war crimes. The humanitarian calamity in the Gaza Strip continues to deepen as a result, and the carnage and destruction are perpetuating a vicious and bloody cycle of violence that threatens to completely destabilize the situation and derail the fragile peace process.

Despite our repeated warnings and appeals to the Council, no action has been taken to stem this cycle of violence, and Israel continues its deadly rampage throughout the Gaza Strip. In just one month's time — from the start of February until today — Israel, the occupying Power, has killed more than 126 Palestinians, including 19 innocent children and several women and many members of the same families. The children killed have included infant babies, aged two days old and five months old; three young boys, brothers from the same family, ages 8, 11 and 14; and several other innocent children who were at play or in their homes when death cruelly struck them — as well as an entire family, including a mother, father and their three young children, who were killed in their home in Al-Bureij refugee camp in a missile strike two weeks ago. Palestinian families are being devastated and their homes, communities and lives destroyed before everyone's eyes. There is no justification whatsoever for the killing of innocent civilians. There is no justification whatsoever for killing babies, for killing children, for killing women, for killing older people — for killing innocent civilians.

When the slaughter of innocent children has become acceptable or is somehow justified under the pretext of promoting security or "counter-terror", we know that we have completely sunken into the dark abyss where there is a total absence of the law, absence of logic or reason, absence of morality, absence of conscience and absence of humanity. When we reach this point, we bitterly begin to realize that the standards of the law and human rights are not equally applicable to all humans, not even to children and women or to the elderly or disabled. This perception looms dangerously among the Palestinian people, who have endured the killing of more than 1,000 children by the occupying forces since the year 2000. Living in a world surrounded by death, destruction, misery and hardship, Palestinian children, especially in the Gaza Strip, are traumatized and plagued by the ever-present fear and question, "Will I be next?", as the missiles and shells continue to rain down on their homes and neighbourhoods.

Today alone, at least 60 Palestinians have been killed by the Israeli military attacks in the northern Gaza Strip, including at least five children and three

women. In addition, it is being reported that more than 150 Palestinians have been wounded by the Israeli occupying forces in this latest round of attacks. The hospitals in Gaza, which are already facing critical shortages of medical supplies and decaying equipment as a result of the ongoing Israeli siege of Gaza, are exerting all efforts possible under such circumstances to treat those who have been wounded in these attacks. Additionally, the Israeli occupying forces continue to target medical rescue teams and forbid ambulances from evacuating the wounded. Meanwhile, the rest of the population in the area, gripped by panic and fear and already suffering humanitarian hardship, are reported to be hiding in their homes, where even there they know they are not safe from the military strikes of the occupying Power.

At the same time, it must be pointed out that many of the Palestinians killed and wounded have been the casualties of extrajudicial executions illegally committed by the Israeli occupying forces via missile air strikes by warplanes and helicopters, launched at targets in heavily populated civilian areas. Such extrajudicial executions also continue to be carried out by the occupying Power in the West Bank, in addition to constant raids and arrest campaigns and other illegal practices and actions. Just this week in the Balata refugee camp in Nablus, in the West Bank, Israeli undercover units killed three Palestinian men. Such actions are clearly intended to undermine the efforts by Palestinian security forces to establish calm and security and promote law and order in the area, and they threaten the truce agreement reached there.

Even a cursory review of the timeline of events will reveal clearly that these killings of Palestinian civilians by Israel, the occupying Power, did not begin with the killing of an Israeli in Sderot by rocket fire from the Gaza Strip — which the Palestinian Authority has repeatedly rejected and of which it has called for the immediate cessation. And, on this point, we must once again recall that, in any and all circumstances, reprisals against the civilian population are strictly prohibited under international law. Rather, what has been occurring in the occupied Palestinian territory has been a constant and ongoing lethal and indiscriminate Israeli military campaign being waged against the defenceless Palestinian civilian population.

What we are witnessing now is the horrific materialization of the repeated threats made over time, which have intensified in recent weeks and days — and made in the past few days by several Israeli officials, who have threatened to launch large-scale military attacks against the Palestinian people under their occupation in the Gaza Strip. In this regard, we highlight the recent threat by the Deputy Defence Minister of Israel to inflict a "holocaust" among the Palestinian people in Gaza. Such threats, combined with the actual killing of civilians and destruction being perpetrated by Israel, the occupying Power, must be viewed with the utmost seriousness; they must be vehemently condemned, and they require immediate action by the international community, including the Security Council.

Civilians under foreign occupation are entitled to protection of their person and of their dignity under international humanitarian law. There can be no doubt that the acts of aggression committed by Israel in recent days are flagrant violations of these relevant provisions of international humanitarian law. Moreover, such wilful killing of civilians and wanton destruction of property constitute grave breaches — that is, war crimes. Real and immediate measures must be taken to avert the killing of even more innocent souls and avert the uncontrollable spiral of the situation to irreversible depths, wherein the vicious, depraved and deadly cycle of violence will consume everything in its path as well as extinguish all hopes.

Clearly, these unlawful actions are not actions that in any way whatsoever can promote calm and stability and serve the peace process. They are inflammatory, provocative and dangerous and serve only to fully ignite the cycle of violence, death and destruction and to undermine any progress made in the peace process. That is an indisputable fact. The peace process is not divorced from the situation on the ground. Just as positive developments and progress in the peace process can beneficially impact the situation on the ground, such negative developments and illegal actions very detrimentally impact not only the situation on the ground but the peace process itself and the stability of the entire region. The continuation of this sick pattern and vicious cycle will only bring more suffering and loss for both the Palestinian and Israeli peoples and will take us farther away from the realization of peace. This must be a matter of concern for the Council.

We are at a juncture where the international community is in clear concurrence about what is needed to advance the process towards the attainment

of a just, lasting and comprehensive peace. Moreover, we are at a juncture where two high-level United Nations officials, including the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Robert Serry, and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. John Holmes, have just this past week briefed the Security Council (see S/PV.5846) on the critical and absolutely untenable situation in the occupied Palestinian territory, with its grave consequences for the security, well-being and human dignity of Palestinian civilians, and have clearly stressed the urgency of bridging the huge gap between the situation on the ground and the peace process between the Palestinian and Israeli sides, including via a new strategy vis-à-vis the Gaza Strip by the concerned parties, in order to avert the fatal undermining of that process and the sabotaging of all hopes for peace. This requires immediate and real action by the international community.

The Security Council cannot continue to be sidelined as this crisis continues to escalate. It must uphold international law and its Charter responsibilities and act to bring an end to this cycle of violence and counter-violence. It must demand respect for the sanctity of civilian life and demand utmost respect for the provisions of international humanitarian law that are supposed to provide innocent civilians with protection in situations of foreign occupation. It must condemn the killing of civilians and condemn the violence that is causing only more suffering and loss for both peoples and taking us further away from the vision of peace we have been striving so desperately to realize — to no avail, as all efforts have been constantly undermined by such illegal actions.

We therefore reiterate our call on the Security Council and on the international community as whole to shoulder their legal and moral obligations and provide the defenceless Palestinian civilians with urgently needed and effective protection. Additionally, an immediate ceasefire in the occupied Palestinian territory and tangible action are required to bring an end to the violence, the killing of civilians, the destruction and the obstruction of provision of humanitarian assistance.

The Security Council must be a player to help the parties break this deadly cycle of violence and help them to advance the new strategy that has been called for to bring an immediate halt to the violence and resolve the current crisis, ameliorate the terrible situation on the ground and create calm and an environment conducive to the advancement of serious peace negotiations in good faith. Continued silence will only bring more death and destruction and the further dangerous destabilization of the situation to the detriment of all concerned, which must be avoided at all costs.

The President (*spoke in Russian*): I now give the floor to the representative of Israel.

Mr. Carmon (Israel): Two days ago — and as a matter of fact, a few minutes ago in his statement — Secretary-General Ban Ki-moon condemned Hamas's rocket fire against Israel and called on Hamas and other terrorist and militant groups to cease all acts of violence and terrorism. He also called on Israel to exercise maximum restraint.

Israel has exercised that restraint for many months now — this in spite of the constant firing of rockets and mortar shells on our towns and villages in southern Israel every single hour and every single day and in spite of Hamas's attempt to carry out terrorist attacks wherever it can target and kill an Israeli.

While Israel has been showing restraint, Hamas has shown no intention of ceasing its vicious attacks. On the contrary, in the past week since Hamas failed to organize a provocative demonstration in Gaza — a failure that might be seen as weakness — it has dramatically escalated its rocket attacks and upgraded its capability in its attacks against our people: Grad missiles, Katyusha rockets, mortar shells and Qassams. Since Wednesday, more than 150 rockets have been fired at Israel, dozens in the past 24 hours alone.

As I speak now, more than a quarter of a million Israeli citizens are in the range of the deadly and murderous weapons of Hamas — care of Hamas, its backers in the region and their malicious vision. The Government of Israel should thus not apologize for protecting its citizens.

We have addressed this situation for a very long time. The members of the Council can see the many letters we have sent this week alone expressing our alarm and concern about Hamas attacks and reiterating our determination to protect our people. That is our right. That is the right of all States, to act in self-defence in accordance with Article 51 of the Charter of

the United Nations. That is our duty. That is our obligation to our people. I ask the members of the Security Council: Would it not be yours, too?

No responsible Member State would sit back in silence and do nothing as its citizens and territory were under constant attack. They would not be idle as the alarms in Sderot — and now Ashkelon — blared "colour red!, colour red!", giving Israeli civilians less than 15 seconds — 15 seconds of terror. That is all it takes before the rocket slams into their lives, their homes, hospitals, kindergartens, schools, and playgrounds — and their lives are destroyed forever.

There is only one way to describe the activity of Hamas against Israel: it is plain and blunt terrorism. Hamas is a terrorist group backed by Member States of this world body. It is an organization that denies the very basic principles set by the international community itself: cessation of hostilities, cessation of terrorist acts, recognition of Israel and abiding by previous agreements between Israel and the Palestinians.

Hamas not only seeks to kill Israelis; it has no concern for its own civilians. It fires rockets from populated civilian areas, using their civilians as human shields. That is a war crime — there is no other way to describe it — against both Israelis and Palestinians. We heard the term war crimes here today in the Chamber. May I suggest to the Palestinian Observer that he divert that term — or accusation — to the Hamas terrorist group, which brutally took over the Gaza Strip a few months ago, in what the Palestinian Authority leadership itself called a coup. If they answer your phone, my distinguished colleague, you can tell them something about war crimes, as well as much of what you told the Council this evening. The address is there: Hamas. The Palestinians in Gaza are victims of Hamas's regime of terror. It is not only Israelis. We are all being held hostage by Hamas, the real and only occupier of Gaza, through its terror. This situation is unacceptable. We do not accept it. We will continue our fight against terrorism.

There should be no doubt in our minds that Hamas's true vision is the extermination of the State of Israel, and not to live peacefully side by side with us. It does not even seek to restore normalcy for the sake of the people of Gaza. It is thus unfortunate that the Palestinian Observer tonight, as has been the case in the past, does not recognize that Hamas bears sole responsibility for the violence. Once again, the word Hamas was not mentioned even once in his address. I think that says it all.

Hamas's vision for the failure of the moderates is a vision shared by some States in our region — including Iran and Syria — who are sitting behind the scenes, orchestrating and supporting Hamas's terrorism against Israel. They have done this in the past with other terrorist groups elsewhere in the region and around the world. One must wonder about the timing of Hamas's escalation of violence and whether its purpose was not to distract the international community's attention today and this week.

I reiterate Israel's determination to protect its civilians, territory, cities, towns and villages. It is what they expect from us, and it is what we must do for them. Sitting on the sidelines will only embolden the extremists and convince them that they should not stop the violence. Trying to derail the peace process is what the extremists would like us to do. Israel expects the international community and the members of the Security Council to support us in our protection of our people.

The President (*spoke in Russian*): There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 9.05 p.m.